



IT IS ORDERED as set forth below:

Date: April 21, 2020

**Paul W. Bonapfel
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:)	Chapter 11
)	
THE KRYSTAL COMPANY, <i>et al.</i> , ¹)	Case No. 20-61065 (PWB)
)	
)	
Debtors.)	(Jointly Administered)
)	

**ORDER SHORTENING NOTICE AND SCHEDULING HEARING
ON DEBTORS' EMERGENCY MOTION FOR ENTRY OF AN ORDER
(I) APPROVING ENTRY INTO STALKING HORSE AGREEMENT AND
AUTHORIZING BREAK-UP FEE AND (II) GRANTING RELATED RELIEF**

This matter is before the Court on the *Emergency Motion for Entry of an Order Shortening Notice and Scheduling Expedited Hearing on Debtors' Emergency Motion for Entry of an Order (I) Approving Entry Into Stalking Horse Agreement and Authorizing Break-Up Fee*

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: The Krystal Company (4140); Krystal Holdings, Inc. (5381); and K-Square Acquisition Co., LLC (8916). The location of the Debtors' corporate headquarters and service address is: 1455 Lincoln Parkway, Suite 600, Dunwoody, Georgia 30346.

and (II) Granting Related Relief (this “Motion”) of the above-captioned debtors and debtors in possession (collectively, the “Debtors”). All capitalized terms used but not defined herein shall have the meanings given to them in the Motion.

The Court has considered the Motion, the Stalking Horse Motion, and the other matters reflected in the record. It appears that the Court has jurisdiction over this proceeding; that this is a core proceeding; that notice of the Motion and opportunity for a hearing on the Motion were appropriate under the circumstances and no other notice need be provided; that the relief sought in the Motion is in the best interests of the Debtors, their estates, and their creditors; and that good and sufficient cause exists for such relief.

Accordingly, it is hereby ORDERED as follows:

1. The Motion is GRANTED as set forth herein.
2. **A hearing will be held on the Stalking Horse Motion on April 27, 2020 at 10:00 a.m. in Courtroom 1401, United States Bankruptcy Court for the Northern District of Georgia, Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303. Given the current public health crisis, the hearing may be telephonic only. Please check the “Important Information Regarding Court Operations During COVID-19 Outbreak” tab at the top of the GANB website prior to the hearing for instructions on whether to appear in person or by phone.**

3. The Debtors’ claims and noticing agent is directed to serve copies of this order and the notice attached to the Motion as Exhibit 1 on the following parties: (a) the U.S. Trustee; (b) counsel to the Committee; (c) counsel to the administrative agent for the Debtors’ prepetition credit facilities; (d) the Internal Revenue Service; (e) the Georgia Department of Revenue; (f) the

Attorney General for the State of Georgia; (g) the United States Attorney for the Northern District of Georgia; (h) the state attorneys general for states in which the Debtors conduct business; (i) the Stalking Horse Purchaser; and (j) any party that has requested notice pursuant to Bankruptcy Rule 2002.

4. The Debtors' claims and noticing agent shall file a certificate of service with the Clerk of the Court certifying the above-outlined service.

5. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Order.

END OF DOCUMENT

Prepared and presented by:

/s/ Sarah R. Borders

Sarah R. Borders

Georgia Bar No. 610649

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Counsel for the Debtors in Possession

Exhibit 1

Form of Notice

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re:)	Chapter 11
)	
THE KRYSTAL COMPANY, <i>et al.</i> ¹)	Case No. 20-61065 (PWB)
)	
)	
Debtors.)	(Jointly Administered)
)	

NOTICE OF HEARING ON DEBTORS' EMERGENCY MOTION FOR ENTRY OF AN ORDER (I) APPROVING ENTRY INTO STALKING HORSE AGREEMENT AND AUTHORIZING BREAK-UP FEE AND (II) GRANTING RELATED RELIEF

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. On April 21, 2020, the Debtors filed the *Emergency Motion for Entry of an Order (I) Approving Entry Into Stalking Horse Agreement and Authorizing Break-Up Fee and (II) Granting Related Relief* [Docket No. 340] (the "Motion"). Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Motion.

2. A hearing on the Motion will be held on April 27, 2020, at 10:00 a.m. (prevailing Eastern time) in Courtroom 1401, United States Bankruptcy Court for the Northern District of Georgia, Richard B. Russell Federal Building and United States Courthouse, 75 Ted Turner Drive, SW, Atlanta, Georgia 30303. Given the current public health crisis, the hearing may be telephonic only. Please check the "Important Information Regarding Court Operations During COVID-19 Outbreak" tab at the top of the GANB website prior to the hearing for instructions on whether to appear in person or by phone.

3. Any party objecting to the request for relief sought in the Motion must file an objection with the Court no later than 5:00 p.m. (prevailing Eastern Time) on April 24, 2020. If you file a written response to the Motion, you must attach a certificate stating when, how, and on whom (including addresses) you served the response. The address of the Clerk's Office is Clerk, U. S. Bankruptcy Court, Suite 1340, 75 Ted Turner Drive, Atlanta Georgia 30303.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: The Krystal Company (4140); Krystal Holdings, Inc. (5381); and K-Square Acquisition Co., LLC (8916). The location of the Debtors' corporate headquarters and service address is: 1455 Lincoln Parkway, Suite 600, Dunwoody, Georgia 30346.

4. Copies of the Motion can be viewed and/or obtained by: (i) upon written request to the Debtors' counsel of record; (ii) at the website of the Debtors' proposed claims and noticing agent Kurtzman Carson Consultants LLC, at <http://www.kccllc.net/krystal>; (iii) by request via telephone at (888) 249-2792 (toll free for U.S. or Canadian-based parties) or (310) 751- 2607 (for International parties); and/or (iv) in the Office of the Clerk, U.S. Bankruptcy Court between 8:00 a.m. and 4:00 p.m. or online anytime at <http://ecf.ganb.uscourts.gov> (registered users) or at <http://pacer.psc.uscourts.gov> (unregistered users).

Date: April 21, 2020
Atlanta, GA

Respectfully submitted,

KING & SPALDING LLP

/s/ Sarah R. Borders

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